

Notice of Allowability

Application No.

10/735,980

Examiner

Richard Franklin

Applicant(s)

PAI ET AL.

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 06 March 2007.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- Please amend claim 9 lines 1 – 2 to read: "A system for providing a plurality of sequential data words, said system comprising:"

DETAILED ACTION

2. Claims 1 – 17 are pending.

Response to Arguments

3. Applicant's arguments, see Pages 7 – 8, filed 06 March 2007, with respect to claims 1, 9, and 17 have been fully considered and are persuasive. The rejections of claims 1 – 17 have been withdrawn.

Oath/Declaration

4. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not identify the citizenship of each inventor.

5. Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth in this and previous communications. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

Allowable Subject Matter

6. Claims 1 – 17 are allowed.

7. The following is an examiner's statement of reasons for allowance:

Claims 1 – 17 are allowed because the prior art of record fails to teach or suggest alone or in combination ***fetching a sequential portion of the data words; the sequential portion comprising a first intermediate word, the last word, and one or more data words between the intermediate word and the last word; and identically storing the sequential portion, in a second memory comprising less than the amount of memory occupied by the plurality of sequential data words in the first memory***, as required by independent claims 1, 9, and 17, ***in combination with the other recited claim limitations*** (emphasis added). Support for this limitation can be found in the originally filed specification in paragraphs [0032] and [0034].

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Applicant has argued that the previously relied upon references, US Patent No. 4,704,641 (hereinafter Stohs) in combination with US Patent No. 6,665,082 (hereinafter Takeoka), are not combinable and do not teach the limitations above (Remarks Filed 06 March 2007; Page 8). Stohs teaches fetching a sequential portion of data words in a reverse order, and storing the sequential portion in a memory that is "at least the size of the data block" (Stohs; Abstract). Modifying Stohs to include a smaller memory would unsatisfactorily modify Stohs, making it unable to perform its intended task (Remarks Filed 06 March 2007; Page 8). Newly found prior art reference US Patent Application Publication No. 2004/0131118 (hereinafter Kim) teaches a system of decoding a MPEG data stream in reverse order. MPEG frames are decoded and stored in a memory smaller than the size of the data stream (Kim; Figure 5 Item 514, Paragraph [0056]). However, Kim does not teach or suggest identically storing the data in the smaller memory, as the data stored in Kim has been decoded into frames to be displayed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Franklin whose telephone number is (571) 272-0669. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Richard Franklin
Patent Examiner
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DONALD SPARKS
SUPERVISORY PATENT EXAMINER